



PATENT  
Attorney Docket No. 041465-5124

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                               |   |                        |
|-------------------------------|---|------------------------|
| In re Application of:         | ) |                        |
|                               | ) |                        |
| Masayoshi YOSHIDA             | ) | Confirmation No.: 8277 |
|                               | ) |                        |
| Application No.: 09/974,825   | ) | Group Art Unit: 2653   |
|                               | ) |                        |
| Filed: October 12, 2001       | ) | Examiner: T. Dinh      |
|                               | ) |                        |
| For: METHOD AND APPARATUS FOR | ) |                        |
| SETTING RECORDING PARAMETER   | ) |                        |
| ON NON-USED AREA OF OPTICAL   | ) |                        |
| RECORDABLE DISC (AS AMENDED)  | ) |                        |

Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window, Mail Stop Issue Fee  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**  
**PURSUANT TO 37 C.F.R. § 1.104 (e)**

In response to the Statement of Reasons for Allowance attached to the Notice of Allowability mailed on January 8, 2004, Applicant submits the following comments.

Applicant does not believe that the Statement of Reasons for Allowance in this application is warranted/proper under 37 C.F.R. § 1.104(e) and M.P.E.P. 1302.14.

While Applicant agrees that the claims are allowable and patentably distinguish over the prior art, Applicant respectfully does not acquiesce that patentability resides only in the features expressed at paragraph 2 of the Statement of Reasons for Allowance, nor that each and every feature recited in the claims is required for patentability.

Moreover, Applicant notes that the language presented in the Statement of Reasons for Allowance does not precisely track the language recited in each of the referenced claims.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

By: 

John G. Smith

Registration No. 33,818

Dated: March 31, 2004

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**PATENT**  
ATTORNEY DOCKET NO.: 041465-5124

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Masayoshi YOSHIDA

Application No.: 09/974,825

Examiner: Dinh, Tan X.

Filed: October 21, 2001

Group Art Unit: 2653

Allowed: January 8, 2004

Confirmation No.: 8277

**For: METHOD AND APPARATUS FOR SETTING RECORDING PARAMETER ON NON-USED AREA OF OPTICAL RECORDABLE DISC (AS AMENDED)**

Commissioner for Patents  
**MAIL STOP ISSUE FEE**

**SUBMISSION OF REPLACEMENT DRAWINGS**

Filed herewith are five (5) replacement sheets of drawings containing Figures 1, 2, 3, 4, and 5. These replacement sheets of drawings are submitted to improve the form of the drawings. It is requested that these drawings be approved and made part of the official record in the above-identified patent application.

If there are any fees due in connection with the filing of these drawings, please charge the fees to our Deposit Account No. 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

By: 

John G. Smith  
Reg. No. 33,818

Dated: March 31, 2004

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